

Applicant: Kurt R. Linberg
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REMARKS

1. Claim Rejections Under 35 USC §112

A. First Paragraph

Claims 21-25 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement because the limitation that the programmer runs dedicated software to access the remote data center "such that commands entered on the programmer are executed as if entered directly on the remote data center" was deemed to not be described in the specification. Applicant respectfully traverses.

The following description is given at page 14, lines 7-11:

In the preferred embodiment a Telnet system is used to wirelessly access data center 62. Telnet emulates a client/server model and requires that the client run a dedicated software to access data center 62. The Telnet scheme envisioned for use with the present invention includes various operating systems including UNIX, Macintosh, and all versions of Windows.

The technical definition of "Telnet" is as follows:

A terminal emulation program for TCP/IP networks such as the Internet. The Telnet program runs on your computer and connects your PC to a server on the network. You can then enter commands through the Telnet program and they will be executed as if you were entering them directly on the server console. This enables you to control the server and communicate with other servers on the network. (emphasis added). See, www.webopedia.com.

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Accordingly, inherent in the disclosure of a Telnet system connection is the functionality that commands entered on the programmer are executed as if they were entered directly on the server of the remote data center. Consequently, there is adequate written description in the specification to support the claim limitation.

B. Second Paragraph

Claims 21-25 were rejected as being indefinite. By the amendments made herein, the claims are now made definite and particularly point out and distinctly claim the subject matter which applicant regards as the invention.

2. Claim Rejections Under 35 USC §102

Claims 21-23 were rejected as being anticipated by Snell (U.S. Patent 6,249,705). Applicant respectfully traverses.

Snell discloses a distributed system of network IMD programmers communicating with a remotely located network server over a network 126 (Fig. 2), which is described in column 6, lines 40-44. Nowhere does Snell disclose or suggest that the network includes a communications protocol that emulates a client/server model such that commands entered on the programmer are executed as if entered directly on the remote data center.

Accordingly, Snell fails to anticipate claims 21-23.

3. Claim Rejections Under 35 USC §103

A. Claims 24 and 25 Over Snell

Claims 24 and 25, which are dependent claims, were rejected as being unpatentable over Snell. Applicant respectfully traverses.

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The rejection is viable only if claim 21 is anticipated as alleged. As shown above, claim 21 is not anticipated. Therefore, the rejection of claims 24 and 25 for obviousness over Snell fails.

B. Claims 21 and 22 Over Thompson

Claims 21 and 22 were rejected as being unpatentable over Thompson (U.S. Patent 6,477,424). Applicant respectfully traverses.

Thompson is alleged to disclose the claimed invention except for the data center being wireless and web-based. It is alleged that it would have been obvious to modify Thompson to have a wireless, web-based communications.

Thompson, however, like Snell, fails to disclose or suggest that the network includes a communications protocol that emulates a client/server model such that commands entered on the programmer are executed as if entered directly on the remote data center. Therefore, the rejection necessarily fails.

C. Claims 23 and 25 Over Thompson

Claims 23 and 25 were rejected as being unpatentable over Thompson. Applicant respectfully traverses.

Thompson is alleged to disclose the claimed invention except for programmer software updates and the database features. It is alleged that it would have been obvious to modify Thompson to include programmer software updates and the database features.

Again, Thompson fails to disclose or suggest that the network includes a communications protocol that emulates a client/server model such that commands entered on the programmer are executed as if entered directly on the remote data center. Therefore, the rejection necessarily fails.

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4. Conclusion

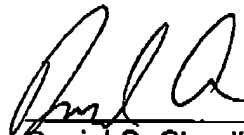
Applicant submits that claims 21-25 are in form and condition for allowance and requests that a notice of allowance be issued.

Respectfully submitted,

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Date

9/22/04



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